IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7672 OF 2006

Shri Khandu Jaisu Tarange & Anr ..Petitioners

Vs.

Smt.Rakhamabai Ganpat Karche ..Respondent

Mr.Nitin V.Gangal for the petitioners

CORAM : A.P.DESHPANDE, J

DATED : 27TH NOVEMBER, 2006

P.C.:

1. The suit land was initially owned by the petitioners which came to be declared as surplus land under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 and came to be distributed in favour of respondent no.6 to 13 under section 27 of the Act. The respondents have got allotted land exchanged with some other land owned by respondent nos.14. This exchange was after seeking prior permission of the Collector as is required under section 29 of the Act. As the transfer (exchange of land) is with due compliance of s.29(1) of the act, the exchange cannot be

termed as illegal. The decisions of the authorities below taking the said view is legal and proper.

2. The learned counsel for the petitioners submits that respondent nos.3 to 14 have thereafter sold the land, which they had taken in exchange from respondent no.14, to respondent no.5. The learned counsel submits that this transaction is also challenged before the appropriate authority. If that be so, liberty to the petitioners to prosecute the said proceedings.

3. There is no merit in the petition. Petition is accordingly dismissed.

(SHRI A.P.DESHPANDE, J)